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PART—I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 3rd July, 2017

No. SEC/2E-II/2017/2064.— The General Elections of Zila Parishad, Karnal were held in January, 2016 and the results of the elected candidates were declared on 28.01.2016.

2. As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Accounts) Order, 1996, every candidate contesting election to the post of Member of Zila Parishad shall have to maintain day to day election expenditure account in accordance with the procedure laid down in paras 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format with the Deputy Commissioner-cum-District Election Officer(Panchayat) or any other officer as specified by the Commission. The total of the expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Para 11 of these orders provides that if the State Election Commission is satisfied that a person --

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and
- (b) has no good reason or justification for the failure the State Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and may such person shall be disqualified for a period of three years from the date of the order.

4. The Commission, *vide* its notification No. SEC/2E-II/2015/5782, dated 03.06.2015 prescribed the limit of expenditure of Rs. 2,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Member Zila Parishad.

5. As reported by the Deputy Commissioner-cum-District Election Officer, Karnal through his letter No. 633/ Panchayat, dated 24.01.2017 the 154 contesting candidates of Zila Parishad, Karnal failed to submit their election expenditure statement within the prescribed time. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the prescribed period. I had given an opportunity of personal hearing to 28 candidates in my office chamber on 28.06.2017 in the interest of justice. Sh..Harinder, Assistant represented the Deputy Commissioner, Karnal.

6. The candidates mentioned below appeared in person and had submitted their submissions explaining the reasons for non submission of their election expenditure statement:-

क्रम सं०	सर्व श्री/श्रीमति	गांव का नाम	वार्ड नं०
1.	कंचन रानी	बड़ागांव	14
2.	परमाल सिंह	कुन्जपुरा	15
3.	प्रवीण राणा	मोहिदीनपुर	15
4.	संदीप राणा	नलवीकला	15
5.	पवन कुमार	कुटेल	17

During the course of personal hearing, the above mentioned five candidates had submitted their election expenditure statement. I have gone through the submissions made by them and the facts available on the record. Taking a lenient view, I order to accept election expenditure statement of the above mentioned five candidates.

7. The following candidates did neither responded to the show cause notice nor appeared before me:-

क्रम सं०	सर्व श्री/श्रीमति	गांव का नाम	वार्ड नं०
1.	परमजीत कौर	चौरा	14
2.	बिन्दो रानी	चोरपुरा	14
3.	मनीषा देवी	मोदीपुर	14
4.	मंजू	बड़ागांव	14
5.	ईशराज	कुन्जपुरा	15
6.	बलबीर सिंह	महमुदपुर	15
7.	विनोद कुमार	रांबर	16
8.	मीना कुमारी	उंचासमाना	16
9.	राजेश	कैखाली	17
10.	कमलजीत	बीजना	17
11.	कर्मबीर	बस्ताड़ा	17
12.	दीपा रानी	कैखाली	17
13.	रमेश कल्याण	मुबारकाबाद	17
14.	राजेश कुमार	बस्ताड़ा	17
15.	सविता	चौराखालसा	18
16.	कविता रानी	कालरों	18
17.	बिमलेश देवी	कालरम	18
18.	रजनेश	अंराईपुरा	18
19.	रीना	अंराईपुरा	18
20.	रेखा रानी	अंराईपुरा	18
21.	सविता रानी	अंराईपुरा	18

Therefore, it can be concluded that the above mentioned twenty one candidates have nothing to say in the matter. Hence, they deserve to be disqualified. I, Dr. Dalip Singh, State Election Commissioner, Haryana, in exercise of powers vested under Article 243K of the Constitution of India and Section 212 of the Haryana Panchayati Raj Act, 1994 and all other powers enabling in this behalf hereby order that the twenty one candidates mentioned in para 7 be disqualified for being chosen as, and for being a member of Panchayats i.e. Gram Panchayat, Panchayat Samiti and Zila Parishad **for a period of three years** from the date of this order.

8. Sh.Surinder Singh, a candidate ward No.17 responded to the show cause notice but he did neither submit his expenditure register nor appeared for personal hearing. Another opportunity given. I order to call him for personal hearing on 28.07.2017.
9. The representative of the Deputy Commissioner, Karnal told that notice to Smt.Usha Devi Ward No.18 could not be served because of confusion of her ward number. Request for a date. Allowed. I order that the candidate be served with fresh notice again for personal hearing on 28.07.2017.
10. I further direct that a copy of this order be sent to all the candidates mentioned in para 6 and 7 above through Deputy Commissioner-cum-District Election Officer, Karnal.
11. I further direct that a copy of this order be hosted on website of the Commission **www.secharyana.gov.in**.

Panchkula:
The 28th June, 2017.

DR. DALIP SINGH,
State Election Commissioner, Haryana.